

AMENDED IN SENATE JUNE 9, 2005

AMENDED IN ASSEMBLY MAY 4, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 970

Introduced by Assembly ~~Member Yee~~ *Members Yee, Mullin, and
Ruskin*

(Principal coauthors: Senators Simitian and Speier)

February 18, 2005

~~An act to amend Section 17317 of the Education Code, relating to school facilities. An act to add Chapter 2.995 (commencing with Section 7286.90) to Part 1.7 of Division 2 of the Revenue and Taxation Code, relating to taxation.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 970, as amended, Yee. ~~School facilities; seismic safety. Transactions and use taxes: County of San Mateo: parks and recreation.~~

The Transactions and Use Tax Law authorizes counties to levy transactions and use taxes as special taxes in accordance with the procedures and requirements set forth in that law.

This bill would authorize the County of San Mateo to impose a transactions and use tax for specified park and recreation purposes if certain conditions, including $\frac{2}{3}$ voter-approval, are met. This bill would also specify that, if the special tax authorized by the bill is imposed, the imposition would be in lieu of a specified transactions and use tax that the county would otherwise be authorized to impose as a special tax.

This bill would make legislative findings and declarations as to the necessity of a special statute.

~~Existing law requires the Department of General Services to conduct an inventory of public school buildings that are concrete tilt-up school buildings and school buildings with nonwood frame walls that do not meet the minimum requirements of the 1976 Uniform Building Code.~~

~~This bill would require the Department of General Services to, upon the request of a school district, provide written copies of a report or data therein pertaining to a specific school building to that district.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 2.995 (commencing with Section
2 7286.90) is added to Part 1.7 of Division 2 of the Revenue and
3 Taxation Code, to read:

4
5 CHAPTER 2.995. SAN MATEO COUNTY TRANSACTIONS AND
6 USE TAX FOR PARKS AND RECREATION PURPOSES

7
8 7286.90. (a) In addition to the tax levied pursuant to Part 1.5
9 (commencing with Section 7200) and any other tax authorized by
10 this part, the Board of Supervisors of the County of San Mateo
11 may impose a transactions and use tax in lieu of, and not in
12 addition to, a tax imposed under Section 7285.5 for the purposes
13 described in paragraph (4), by the adoption of an ordinance in
14 accordance with this part if all of the following conditions are
15 met:

16 (1) The ordinance imposing the tax is approved by a
17 two-thirds vote of all members of the board of supervisors and is
18 subsequently submitted to and approved by the voters of the
19 county by a two-thirds vote of those voters voting on the
20 ordinance in accordance with Article 3.7 (commencing with
21 Section 53720) of Chapter 4 of Part 1 of Division 2 of Title 5 of
22 the Government Code.

23 (2) The ordinance includes an expenditure plan describing the
24 purposes for which the revenues from the tax may be expended,
25 consistent with the purposes described in paragraph (4). The
26 plan may provide for distribution of revenues to cities and
27 special districts within the county for implementation of the plan.

1 (3) *The tax is imposed at a rate of 0.125 or 0.25 percent for a*
2 *specified period of time.*

3 (4) *The revenues collected from the tax are used only for park*
4 *and recreation acquisition, improvements, maintenance,*
5 *programs, and operations within the incorporated and*
6 *unincorporated areas of the county.*

7 (5) *The transactions and use tax conforms to Part 1.6*
8 *(commencing with Section 7251).*

9 (b) *Notwithstanding paragraph (3) of subdivision (a), the*
10 *Board of Supervisors of the County of San Mateo may impose a*
11 *transactions and use tax in any succeeding period if all of the*
12 *conditions specified in subdivision (a) are met for that*
13 *succeeding period.*

14 SEC. 2. *The Legislature finds and declares that a special law*
15 *is necessary and that a general law cannot be made applicable*
16 *within the meaning of Section 16 of Article IV of the California*
17 *Constitution because of the unique fiscal pressures being*
18 *experienced by the County of San Mateo in providing essential*
19 *park and recreation services.*

20 ~~SECTION 1. Section 17317 of the Education Code is~~
21 ~~amended to read:~~

22 ~~17317. (a) The Department of General Services shall, in~~
23 ~~consultation with the Seismic Safety Commission, conduct an~~
24 ~~inventory of public school buildings that are concrete tilt-up~~
25 ~~school buildings and school buildings with nonwood frame walls~~
26 ~~that do not meet the minimum requirements of the 1976 Uniform~~
27 ~~Building Code. Priority shall be given to the school buildings~~
28 ~~identified in the act that added this section that are in the highest~~
29 ~~seismic risk zones in accordance with the seismic hazard maps of~~
30 ~~the Division of Mines and Geology of the Department of~~
31 ~~Conservation.~~

32 ~~(b) The Department of General Services shall submit a report~~
33 ~~by December 31, 2001, to the Legislature and the Governor that~~
34 ~~summarizes the findings of the seismic safety inventory and~~
35 ~~makes recommendations about future actions that should be~~
36 ~~taken to address the problems found by the seismic safety~~
37 ~~inventory. The report shall not identify individual schoolsites on~~
38 ~~which inventoried school buildings are located.~~

39 ~~(c) The Department of General Services shall, upon the~~
40 ~~request of a school district, provide written copies of a report~~

- 1 ~~completed pursuant to this section, or data upon which the report~~
- 2 ~~is based, which report or data pertains to a specific school~~
- 3 ~~building, to that district.~~

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